

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P.O. Box 7599  
Boulder, Colorado 80537-0599

PATENT APPLICATION

ATTORNEY DOCKET NO. 10990531-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Sutton et al.

Serial No.: 09,992,224

Examiner: Lau

Filing Date: Nov 19, 2001

Group Art Unit: 2863

Title: Electronic Test System and Method

COMMISSIONER FOR PATENTS  
PO Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")  
( ) Other: (fee \$ )

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	25	MINUS	27	= 0	X \$18	\$ 0
INDEP. CLAIMS	7	MINUS	8	= 0	X \$86	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$290	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$420.00	3RD MONTH \$950.00	4TH MONTH \$1480.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: Oct 30, 2003

Typed Name: June L. Bouscaren

Signature: June L. Bouscaren

Respectfully submitted,

Sutton et al.

By June L. Bouscaren  
June L. Bouscaren

Attorney/Agent for Applicant(s)

Reg. No. 37,928

Date: Oct 30, 2003



Docket No. 10990531-1  
USPTO Ser. No. 09/992,224

#11/Response w/ Affidavit  
CBE  
11/13/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In the Matter of the Application of: Sutton et al.  
Serial No. : 09/992,224  
Filed: November 19, 2001  
For : Electronic Test System and Method  
Examiner: Lau  
Group Art Unit: 2863  
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Assistant Commissioner for Patents  
Washington, DC 20231

**Request for Advisory Action and  
Submittal of Affidavit Under 37 C.F.R. §1.131**

Dear Sir,

Final Office Action dated October 16, 2003,  
rejects claims 1-6, 8-11, 16, 18, 21, 23 and 26 as  
anticipated by U.S. Pat. Application Publication No.  
US 2003/0093736 A1 to Grey (herein "the Grey  
Publication") under 35 U.S.C. §102(e). Claims 7, 12,  
13, 14, 15, 17, 19, 20, 22, and 24, are objected to as  
being dependent upon a rejected base claim, but would  
be allowable if rewritten in independent form  
including all the limitations of the base claim and  
any intervening claims.

In response to the Final Rejection, an Affidavit  
by Inventor Christopher Sutton under 37 C.F.R. §1.131  
showing an actual reduction to practice of the claimed

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invention on a date prior to the filing date of the Grey Publication, August 31, 2001, is filed herewith for the purpose of removing the Grey Publication as an anticipating reference. It is Applicant's position that the Grey Publication discloses, but does not claim the subject matter of the present invention for reasons presented. In view of the portions of the Grey Publication used to reject the claims as presented in the Final Rejection, however, the Examiner may take a different position in the Advisory Action.

In addition, Applicant responds to maintenance of the rejection of claims 1-6, 8-11, 16, 18, 21, 23 and 26 as anticipated by the Grey Publication. Consideration of the following Remarks and an Advisory Action is respectfully requested.